

# Attachment H

## Arrest Warrant *In Rem*

pursuant to Rule G(3)(b)(ii) of the  
Supplemental Rules for Admiralty or Maritime  
Claims and Asset Forfeiture Action

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

- v. -

**WARRANT OF ARREST IN REM**

Civil No. \_\_\_\_\_

THE M/Y GALACTICA STAR, BEING A  
65-METER MOTOR YACHT BUILT BY  
HEESEN SHIPYARDS WITH  
INTERNATIONAL MARITIME  
ORGANIZATION NUMBER 9679830,  
AND REGISTERED UNDER THE LAWS  
AND FLAG OF THE CAYMAN ISLANDS  
AT THE PORT OF GEORGE TOWN,  
INCLUDING ALL FIXTURES,  
FITTINGS, MANUALS, STOCKS,  
STORES, INVENTORIES, AND EACH  
LIFEBOAT, TENDER, AND OTHER  
APPURTENANCE THERETO,  
INCLUDING, BUT NOT LIMITED TO,  
THE TENDER BOAT RECORDED AS A  
7.5 METER DARIEL "GUEST TENDER"  
WITH ID/SERIAL NO. DRLDT759G313,  
AND ANY PROPERTY TRACEABLE  
THERETO;

ALL RIGHTS AND INTERESTS HELD  
BY ONE57 79 INC. IN THE REAL  
PROPERTY LOCATED IN NEW YORK,  
N.Y., COMMONLY KNOWN AS 157  
WEST 57TH STREET, UNIT 79, NEW  
YORK, N.Y. 10019, AND ANY  
PROPERTY TRACEABLE THERETO,  
INCLUDING ALL RIGHTS OR  
INTERESTS HELD BY ONE57 79 INC. IN  
ANY SURPLUS MONIES RESULTING  
FROM A FORECLOSURE AUCTION OF  
THE AFORESAID PROPERTY TO BE  
HELD ON OR ABOUT JULY 19, 2017;

REAL PROPERTY LOCATED IN NEW  
YORK, N.Y., COMMONLY KNOWN AS  
1049 FIFTH AVENUE, UNITS 11B AND  
12B, NEW YORK, N.Y. 10032, AND ALL  
APPURTENANCES, IMPROVEMENTS,  
AND ATTACHMENTS LOCATED  
THEREON, AND ANY PROPERTY  
TRACEABLE THERETO;

REAL PROPERTY LOCATED IN  
MONTECITO, CALIF., COMMONLY  
KNOWN AS 807 CIMA DEL MUNDO  
ROAD, MONTECITO, CALIF. 90077,  
AND ALL APPURTENANCES,  
IMPROVEMENTS, AND  
ATTACHMENTS LOCATED THEREON,  
AND ANY PROPERTY TRACEABLE  
THERETO;

REAL PROPERTY LOCATED IN  
MONTECITO, CALIF., COMMONLY  
KNOWN AS 815 CIMA DEL MUNDO  
ROAD, MONTECITO, CALIF. 90077,  
AND ALL APPURTENANCES,  
IMPROVEMENTS, AND  
ATTACHMENTS LOCATED THEREON,  
AND ANY PROPERTY TRACEABLE  
THERETO;

ALL RIGHTS AND INTERESTS HELD  
BY RIVERMOUNT INTERNATIONAL  
LTD., OR ITS AFFILIATES OR  
ASSIGNEES, IN THE SUBORDINATED  
CONVERTIBLE PROMISSORY NOTE  
EXECUTED BETWEEN CROSS  
HOLDINGS, INC., AND RIVERMOUNT  
INTERNATIONAL LTD., DATED ON OR  
ABOUT JULY 15, 2015, AS VARIED OR  
AMENDED BY THE PARTIES  
THERETO, AND ALL PROPERTY  
TRACEABLE THERETO;

**Defendants In Rem**

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TO: THE UNITED STATES FEDERAL BUREAU OF INVESTIGATION OR  
ANY OTHER DULY AUTHORIZED LAW ENFORCEMENT OFFICER

WHEREAS, a Verified Complaint for Forfeiture *in Rem* was filed on July 13, 2017, in the United States District Court for the Southern District of Texas, alleging that certain Defendants *in Rem* are subject to seizure and forfeiture to the United States, including the Subordinated Convertible Promissory Note executed between Cross Holdings, Inc., and Rivermount International Ltd. (the “Defendant Property” more fully described below), pursuant to 18 U.S.C. §§ 981(a)(1)(A) and 981(a)(1)(C); and

The Court being satisfied that, based on the Verified Complaint for Forfeiture *in Rem*, there is probable cause to believe that the Defendant Property is subject to forfeiture to the United States.

**YOU ARE, THEREFORE, HEREBY COMMANDED** pursuant to the provisions of 18 U.S.C. § 981 and Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, to arrest the Defendant Property, or to transmit the warrant to an appropriate authority for serving process where the property is located if the property is outside the United States, and to use discretion and whatever means appropriate to protect and maintain the said Defendant Property, as more fully described as:

**all rights and interests held by Rivermount International Ltd., or its affiliates or assignees, in the Subordinated Convertible Promissory Note executed between Cross Holdings, Inc., and Rivermount International Ltd., dated on or about July 15, 2015, as varied or amended by the parties thereto, and all property traceable thereto.**

**IT IS FURTHER ORDERED** that upon receipt of the Defendant Property, the U.S. Marshals Service shall maintain custody until further order of the Court;

**YOU ARE FURTHER COMMANDED**, after execution of this process, to file a Return

with the United States District Court for the Southern District of Texas.

ISSUED at Houston, Texas, this \_\_\_\_ day of \_\_\_\_\_ 2017.

DAVID J. BRADLEY, CLERK  
United States District Court  
Southern District of Texas

By:\_\_\_\_\_

APPROVED AND SO ORDERED:

\_\_\_\_\_ Dated: \_\_\_\_\_

NAME

United States District Judge

**RETURN OF ARREST WARRANT IN REM:**

<u>ARREST WARRANT SERVED ON:</u>	<u>COPY OF ARREST WARRANT LEFT AT:</u>
<u>SOUTHERN DISTRICT OF TEXAS CIVIL CAUSE NUMBER:</u>	<u>DATE AND TIME WARRANT EXECUTED:</u>

Amount Seized, if applicable: \$\_\_\_\_\_

**CERTIFICATION:**

I declare under penalty of perjury that this Return is true and correct.

\_\_\_\_\_  
Federal Agent's signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title